

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SEAN KENDRICK,

Petitioner,

v.

JODINE DEPPISCH,

Respondent.

ORDER

05-C-292-jcs

Because Judge Shabaz will be convalescing from shoulder surgery for an extended period, I have assumed administration of the cases preciously assigned to him, including this one. On July 1, 2005 Judge Shabaz dismissed petitioner's petition for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2254 because the court lacked jurisdiction to address the petition. Petitioner was neither confined nor convicted in this district.

Now before the court is a request from petitioner to refund "[his] filing fee of \$350.00." First, petitioner did not pay a \$350.00 fee for filing his petition for a writ of habeas corpus. He paid \$5.00. (A copy of the receipt in petitioner's case is enclosed to petitioner with a copy of this order,) Second, even though petitioner's petition was dismissed, he is not entitled to the return of his filing fee. As the name suggests, that fee is

for filing the case.

ORDER

IT IS ORDERED that petitioner's request for a refund of his filing fee is DENIED,

Entered this 18th day of March, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge